

Notice of Allowability

Application No.

09/865,828

Examiner

Michael B. Holmes

Applicant(s)

HEARD, NICHOLAS

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 01, 2005.
2. ☒ The allowed claim(s) is/are 23-26.
3. ☒ The drawings filed on 24 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/865,828.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |



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Examiner's Detailed Office Action

1. Claims 1-22 have been canceled.
2. Claims 23-26 are allowed.

REASONS FOR ALLOWANCE

3. The following is an Examiner's statement for reasons for allowance:
4. The closest prior art *Nakisa* (USPN 6,480,832), *Altshuler te al.* (USPN 4,872,122), and *Brand* (USPN 6,212,510) does not teach or render obvious applicant's claimed invention. In particular, as pointed out below, the prior art lacks certain features and the combination as specified in the respective claims.
5. With regards to claim 23 *Nakisa*, *Altshuler te al.*, and *Brand* does not disclose generating a Bayesian statistical model using the data about the past customer behavior, using the model to generating one or more statistical estimators of future customer behavior, wherein the step of generating the Bayesian statistical model, comprises specifying a plurality of Bayesian prior probability distributions.
6. With regards to claim 25 *Nakisa*, *Altshuler te al.*, and *Brand* does not disclose generating a Bayesian statistical model using the data about the past customer behavior, using the model to

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generating one or more statistical estimators of future customer behavior, wherein the step of using the model to generate one or more statistical estimators comprises the step of using a sampling method to draw approximate random samples from the posterior distributions and performing Monte Carlo inference using the samples to generate the statistical estimators.

7. With regards to claim 26 *Nakisa, Altshuler te al.*, and *Brand* does not disclose generating a Bayesian statistical model using the data about the past customer behavior, using the model to generating one or more statistical estimators of future customer behavior, wherein the step of using the model to generate one or more statistical estimators comprises the step of numerically or analytically calculating the Bayesian posterior probability distributions.

Correspondence Information

8. Any inquires concerning this communication or earlier communications from the examiner should be directed to Michael B. Holmes, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-3686 or facsimile transmission (571) 273-3686 or email Michael.holmesb@uspto.gov.

If you need to send an Official facsimile transmission, please send it to (571) 273-8300.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, Anthony Knight, may be reached at (571) 272-3687.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.


Anthony Knight
Supervisory Patent Examiner
Group 3600

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Michael B. Holmes

Patent Examiner

Artificial Intelligence

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United States Department of Commerce

Patent & Trademark Office

Friday, August 12, 2005

MBH